

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL P. WOOLEY,

Defendant.

Case No. 20-cr-40053-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on Defendant P. Wooley (“Defendant” or “Wooley”) Motion to Revoke Previous Order of Detention (Doc. 128). The Government has responded at Doc. 132.

After a defendant’s arrest, a magistrate judge conducts a hearing to determine whether the defendant should be detained or released pending trial. *See* 18 U.S.C. § 3142(a). During the hearing, the defendant “shall be afforded an opportunity to testify, to present witnesses, to cross-examine witnesses who appear at the hearing, and to present information by proffer or otherwise.” 18 U.S.C. § 3142(f)(2). If the magistrate judge issues a detention order, then she must “include written findings of fact and a written statement of the reasons for the detention.” 18 U.S.C. § 3142(h). A defendant ordered detained by a magistrate judge may seek *de novo* review in the district court. 18 U.S.C. § 3145(b). Ultimately, in assessing whether a defendant should be detained pending disposition, the judge must consider “whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(g).

Here, the Court finds that defendant has not rebutted the presumption of detention, the weight of evidence against defendant is strong, defendant is subject to lengthy period of

incarceration if convicted, and the history and characteristics of defendant support detention. Additionally, the Court agrees with the magistrate judge that history and characteristics of defendant, which includes a lengthy criminal history, as well as the nature and seriousness of the danger to the community posed by defendant's release support detention. The Court finds that there are no conditions of release that will reasonably assure defendant's appearance to this Court, as well as ensure the safety of the community.

The Court therefore **DENIES** Defendant Wooley's Motion for Release on Bond (Doc. 128).

**IT IS SO ORDERED.**

**Dated: April 6, 2022**

/s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**